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IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF SOUTH CAROLINA
Pro Se Non-Prisoner Complaint Form

[Enter the full name of the plaintiff in this action]

Benjamin Lewis Anderson

) Civil Action No.

) (to be assigned by Clerk)

v.

[Enter the full name of each defendant in this
action. If possible, please list only one defendant
per line.]

Davita Upstate Dialysis Center

Carolina Nephrology

If allowed by statute, do you wish to have a trial by jury? Yes _____ No _____

[If any answer requires additional space, please use additional paper and attach hereto.]

I. PREVIOUS LAWSUITS

A. Have you begun other lawsuits in state or federal court dealing with the same facts involved in this action?

Yes Y No _____

B. If your answer to A is Yes, describe the lawsuit in the space below. [If more than one lawsuit, describe on another sheet of paper using the same outline.]

1. Parties to this previous lawsuit:

Plaintiff: Benjamin L. Anderson

Defendant(s): Davita Upstate Dialysis Center

2. Court: Court of Common Pleas

(If federal court, name the district; if state court, name the county)

3. Docket Number: 2014-CP-23-06070
4. Name(s) of Judge(s) to whom case was assigned: Barber
5. Status of Case: Discovery Phase
(For example, was the case dismissed? Settled? Appealed? Still Pending?)
6. Date lawsuit was filed: November 5, 2013
7. Date of disposition (if concluded): Waiting for trial date

C. Do you have any other lawsuit(s) pending in the federal court in South Carolina?

Yes _____ No X

II. PARTIES

In Item A below, place your name and address in the space provided. [If additional plaintiffs, do the same on another sheet of paper.]

- A. Name of Plaintiff: Benjamin L. Anderson
- Address: 445 W. Rebound Rd Lancaster, SC 29720

In Item B below, place the full name of the defendant, and his/her/its address, in the space provided. Use Item C for additional defendants, if any.

- B. Name of Defendant: Davita Upstate Dialysis Center
- Address: 308 Mills Avenue, Greenville, SC 29605

C. Additional Defendants (provide the same information for each defendant as listed in Item B above):

Carolina Nephrology
Mills Ave. Greenville, S.C

Chokri Alioua - in his individual capacity
(Nephrologist) of Carolina Nephrologist

Kevin Donovan, Facility Administrator
in his individual capacity - Davita Upstate

III. STATEMENT OF CLAIM

State here, as briefly as possible, the facts of your case. Describe how each defendant is involved.

Include also the name(s) of other persons involved, dates, and places. Do not give any legal arguments or cite any cases or statutes. If you intend to allege a number of related claims, number and set forth each claim in a separate paragraph. Use as much space as you need. Attach extra sheets of paper if necessary.

(1) Violation of Civil Rights

(2) Deprivation of equal privileges and immunities

under the laws - class-based invidiously discriminatory animus

(3) Sexual harassment

(4) Retaliation for "protected activity"

Employees of Davita Upstate involved:

Brian Hamrick - white November 5, 2013 stated...

"You're not a drug dealer... you have drugs in your body now." - Davita dialysis center on dialysis

Ms Keefe - white October 31, 2013 Patted Plaintiff

on his buttocks while gyrating her body and

said... "I got more s" - Davita Dialysis in

presence of other patients and employees

III. STATEMENT OF CLAIM - continued.

Savannah Gains, RN white with Michele Owens, Tech both white females. Ms Gains said: "We won't poke fun of you anymore now that we know what size penis you have." - November 12, 2013 at Davita dialysis while receiving dialysis. Peggy Roper, RN white female on November 16, 2013... said, "That's a bunch of shit." "Boy you're silly as shit." "He's stupid." - at Davita Upstate in dialysis area in presence of her peers and patients.

White female employee dialysis technician stated... "That high-powered stuff on you will have you hallucinating and everything else." November 16, 2013 at Davita Upstate dialysis area in presence of her peers and patients.

White female employee dialysis technician said... "Our girls don't give a shit." "Our Jews didn't give a shit, that's why they put you out."

(referring to Cedars-Sinai Medical Center, California)

"That's why that SDA group used those high-powered satellite transmissions on you." November 16, 2013 at Davita Upstate dialysis area in presence of her peers and patients.

1 III. STATEMENT OF CLAIM - continued.

2 White female technician stated: "That's
3 why Loma Linda University used those high-
4 powered satellite transmissions while you
5 were working.. "They didn't give a shit whether
6 they hurt you or not." November 16, 2013 at
7 Davita Upstate dialysis area.

8 White female technician stated... "They would
9 not do it to our group (whites) November 19, 2013
10 at Davita Upstate dialysis area.

11 Peggy Roper, white RN stated... "I Lied that's
12 why Ben (Plaintiff) protested us."
13 November 19, 2013 at Davita Upstate in the
14 dialysis area.

15 Angela, technician with Michele Owens
16 laughed about how high my blood pressure
17 was when they found out that I went to
18 ST. FRANCIS hospital on November 16, 2013.
19 November 19, 2013 in Davita Upstate dialysis
20 area.

21 Dr Chokri Aliqua, Nephrologist, white discriminated
22 against Plaintiff on November 19, 2013 when he
23 stated... "We don't have this drug here."

24 (referring to a refill of valium, after the
25 harassment by staff)

26 Timothy Crevette, RN white male... stated... "We're
27 willing to back off of you buddy." November, 19
28 2013 in dialysis area in presence of patients.

1 III. STATEMENT OF CLAIM - continued

2 Savannah Gaines, RN white female stated,
3 "That's why I got her to do you, like that."
4 (referring to Peggy Roper, RN) November 23, 2013
5 at Davita Upstate dialysis area.

6 White female RN, Savannah Gaines stated,
7 "We heard you smoke crack with Black people."
8 November 5, 2013 at Davita Upstate in the
9 dialysis area in presence of peers and
10 Patients.

11 White female technician stated, "They'll
12 stress you all the way out." November 16, 2013
13 in Davita's dialysis area in presence of
14 Peers and Patients.

15 The Plaintiff alleges that he wrote a
16 letter of complaint to the Davita cooperate
17 office in Irvine California regarding actions
18 by Davita Upstate Dialysis Center. The
19 cooperate office never answered the Plaintiff's
20 complaint letter. Because the cooperate
21 headquarters did nothing, Davita Upstate's
22 employees conspired with Carolina Nephrology
23 to deprive Plaintiff, an African American
24 patient directly and indirectly of equal
25 privileges of receiving dialysis treatment
26 at their Upstate facility because of his
27 race, contrary to 42 U.S.C 1985(3). The
28 Plaintiff alleges the racial harassment was

1 III. STATEMENT OF CLAIM - continued
2 class-based invidiously discriminatory animus.
3 The conspiracy included Carolina Nephrology,
4 and their nephrologist, who agreed with
5 the employees of Davita Upstate to
6 interfere with his civil rights while
7 receiving life support dialysis. The
8 object of their conspiracy was to deny
9 Plaintiff, a dialysis patient, of equal
10 treatment as those of the majority
11 group, which caused Plaintiff psychological
12 and physical harm, by racially disparaging
13 Plaintiff, making derogatory statements
14 regarding his personal and private life
15 while on dialysis. The Plaintiff alleges
16 that the conspirators were all of the
17 majority group (white) including the
18 physician, Chokri Aliqawa of Carolina
19 nephrology.
20 The Plaintiff alleges that the employee
21 comments offended African American patients
22 as well as one caucasian patient, who
23 stated to me, "Everybody knew this group
24 was willing to do you like that."
25 The Plaintiff alleges that his blood pressure
26 was the highest ever at Davita Upstate
27 compared to other dialysis centers because
28 of the racial disparagement.

1 III. STATEMENT OF CLAIM - continued

2 Plaintiff alleges nothing was done and no
3 help was offered because the object of
4 the conspiracy was accomplished. The
5 Nephrologist lied about the medication
6 refill, valium, because he participated in
7 the concerted effort to deny Plaintiff of
8 a stress free environment while receiving
9 life support dialysis. This same physician
10 stated on one occasion.... "I see you got
11 this group to back off of you."
12 (in presence of Davita employees and patients)
13 The Plaintiff alleges that he protested
14 their discrimination and invasion of privacy
15 by engaging in "protected activity" by
16 picketing and demonstrating with a large
17 poster/sign outside of Davita Upstate's
18 facility. The protest was observed by
19 Audrey Hartfield, social worker and a white
20 female dialysis employee. The Plaintiff
21 alleges that the employee knew her
22 coworkers were willing to conspire to hurt
23 and discriminate against Plaintiff.
24 This dialysis employee, Plaintiff alleges,
25 said, "That's why they (her coworkers) did
26 you like that." (referring to the protest poster)
27 This employee did not disparage Plaintiff, but
28 verbalized her disgust for her peers.

1 III. STATEMENT OF CLAIM - continued.

2 The Plaintiff alleges that actions was to
3 cover up the conspiracy. The Plaintiff was
4 denied personal, natural rights, immunities
5 guaranteed by and protected by the
6 Constitution and to participate in federally
7 assisted dialysis very close to his home
8 in Greenville, which was race-based. The
9 Plaintiff alleges that in furtherance of
10 the conspiracy, the facility charge nurse
11 evaded what her staff did and
12 stated, "I don't want you to have a
13 stroke." (days after the egregious conduct)
14 Again, the Plaintiff alleges that no
15 federal enforcement group would do
16 anything, including investigate his
17 complaints. The FCC office in Cerritos,
18 California helped Plaintiff discover
19 which Adventist groups had FCC
20 licensed satellite transmitters and
21 the gentleman stated, "continue your
22 research and approach it from the
23 health aspects. FBI did nothing but
24 lie and deceive Plaintiff because of the
25 "Big" groups involved. (Broadcasters)
26 "Black Lives do Matter"

27

28

IV. RELIEF.

State briefly and exactly what you want this court to do for you.

The Plaintiff prays for a trial by Jury and any other relief as deemed necessary by the Court. Monetary damages in the amount of \$170,000⁰⁰ as punitive damages. A fair and impartial opportunity to litigate and prove conspiracy to damage reputation and cause more life threatening health problems as a dialysis patient.

I declare under penalty of perjury that the foregoing is true and correct.

Signed this 20 day of April, 20 15.

Benjamin L Anderson
Signature of Plaintiff